



Senate

General Assembly

File No. 293

January Session, 2011

Substitute Senate Bill No. 983

Senate, March 30, 2011

The Committee on Public Safety and Security reported through SEN. HARTLEY of the 15th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING CHILDREN AFFECTED BY DISASTER AND TERRORISM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) On or before January 1,
2 2012, and annually thereafter, the Commissioner of Emergency
3 Management and Homeland Security shall report to the General
4 Assembly, in accordance with section 11-4a of the general statutes, on
5 planning and activities for children and youth as part of homeland
6 preparedness and emergency response planning for natural disasters,
7 man-made disasters and terrorism. The report shall include provisions
8 that address (1) the distinct health needs of children for purposes of
9 bioterrorism and other public health emergency preparedness, (2)
10 public education and communications for families concerning public
11 safety issues relating to disasters and terrorism, (3) training in safety
12 and security measures and multi-hazard response plans for child care
13 providers, school personnel and personnel in before and after school
14 programs, family homeless shelters, summer camps and juvenile

15 justice system facilities, (4) coordination of school health and mental
16 health strategies, and (5) the amendments to the state civil
17 preparedness plan and program made pursuant to subsection (c) of
18 section 28-5 of the general statutes, as amended by this act.

19 Sec. 2. Section 28-5 of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective from passage*):

21 (a) The commissioner may make studies and surveys of the
22 manpower, industries, resources and facilities of the state to ascertain
23 the capabilities of the state for civil preparedness and to plan for their
24 most efficient use in time of emergency. The commissioner may apply
25 to the superior court for the judicial district of Hartford, or to a judge
26 of said court if the court is not in session, for a subpoena to compel the
27 attendance of such witnesses or the production of such books, papers,
28 records or documents of individuals, firms, associations or
29 corporations as may be necessary to the effective preparation of the
30 civil preparedness of the state. The court or judge shall, before issuing
31 such subpoena, provide adequate opportunity for the commissioner
32 and the party against whom the subpoena is requested to be heard. No
33 such subpoena shall issue unless the court or judge certifies that the
34 attendance of such witness or the production of such books, papers,
35 records or documents is reasonably necessary to the effective
36 preparation of the civil preparedness of the state and that the
37 commissioner has made reasonable efforts to secure such attendance
38 or such books, papers, records or documents without recourse to
39 compulsory process.

40 (b) The commissioner shall direct the preparation of a
41 comprehensive plan and program for the civil preparedness of the
42 state and integrate and coordinate that plan and program to the fullest
43 extent possible with the civil preparedness plans of the federal
44 government and of other states. When the plan and program has been
45 prepared, the commissioner shall present it to the Governor for his or
46 her approval. When the Governor approves the plan, all government
47 agencies, state or local, and all civil preparedness forces in the state

48 shall carry out the duties and functions assigned by the plan and
49 program as approved. The plan and program may, from time to time,
50 be amended or modified in like manner. The commissioner shall
51 coordinate the civil preparedness activities of the towns and cities of
52 the state to the end that they shall be fully integrated with the state
53 civil preparedness plan and program.

54 (c) The Commissioner of Emergency Management and Homeland
55 Security shall, within available appropriations and in consultation with
56 the Commissioners of Social Services, Public Health, Children and
57 Families, Mental Health and Addiction Services and Education, and
58 the Commission on Children, update and amend the state civil
59 preparedness plan and program established pursuant to subsection (b)
60 of this section to address the needs of children during natural
61 disasters, man-made disasters and terrorism. The plan may also be
62 amended in consultation with parents, local emergency services and
63 child care providers. The amended plan shall include, but not be
64 limited to, a requirement that all schools and licensed and regulated
65 child day care services, as defined in section 19a-77, have written
66 multi-hazard disaster response plans that address (1) the evacuation
67 and removal of children to a safe location, (2) notification of parents in
68 the event of a disaster or terrorism, (3) reunification of parents with
69 their children, and (4) care for children with special needs during a
70 disaster or terrorism.

71 ~~[(c)]~~ (d) In accordance with the state civil preparedness plan and
72 program, the commissioner shall institute such training programs and
73 public information programs, shall take all other preparatory steps,
74 including the partial or full mobilization of civil preparedness forces in
75 advance of actual disaster, as may be necessary to the prompt and
76 effective operation of the state civil preparedness plan in time of
77 emergency and may, from time to time, conduct such practice
78 blackouts or radio silences as may be authorized by the United States
79 Army or its duly designated agency, and such practice air raid alerts or
80 other civil preparedness exercises as the commissioner may deem
81 necessary.

82 [(d)] (e) The commissioner shall utilize the personnel, services,
 83 equipment, supplies and facilities of existing departments, offices and
 84 agencies of the state to the maximum extent possible. The head of each
 85 such department, office or agency, in cooperation with and under the
 86 direction of the commissioner, shall be responsible for the planning
 87 and programming of such activities in the civil preparedness programs
 88 as will involve the utilization of the facilities of his or her department,
 89 office, institution or agency and shall implement and carry out such
 90 activities whenever necessary for the welfare and safety of the state.

91 [(e)] (f) In order to accomplish the purposes of this chapter, the
 92 commissioner may make such orders and such regulations as may be
 93 necessary to develop and implement the civil preparedness plan and
 94 program. Subject to the provisions of chapter 54, all such orders and
 95 regulations shall have the full force and effect of law.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	28-5

Statement of Legislative Commissioners:

Changes were made in section 2(b) and (e) for gender neutrality.

KID *Joint Favorable Subst. C/R*

PS

PS *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

This bill results in no fiscal impact by requiring the Commissioner of the Department of Emergency Management and Homeland Security (DEMHS) to update the state's civil preparedness plan and program to address the needs of children in the event of disasters and terrorism. DEMHS currently addresses the provisions of the bill through the Child Safety and Crisis Response Committee.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sSB 983*****AN ACT CONCERNING CHILDREN AFFECTED BY DISASTER AND TERRORISM.*****SUMMARY:**

This bill requires the commissioner of the Department of Emergency Management and Homeland Security (DEMHS) to amend the state's civil preparedness plan and program to include planning and activities specifically for children and youth in the event of natural or man-made disasters and terrorism. Starting by January 1, 2012, the commissioner must annually report to the General Assembly on homeland preparedness and emergency response plans and activities for children. The bill specifies the provisions that the (1) updated and amended plan and programs and (2) report must address and include.

EFFECTIVE DATE: Upon passage

PROVISIONS IN THE PLAN AND REPORT***Civil Preparedness Plan***

By law, the DEMHS commissioner must prepare a comprehensive plan and program for civil preparedness, subject to the governor's approval. All state and local government agencies must perform the duties and functions assigned in the plan and program. The commissioner may amend the plan and program as needed.

The bill requires the commissioner to amend and update them to address the needs of children during natural or man-made disasters and terrorism. The changes must be developed within available appropriations and in consultation with Commission on Children and the commissioners of social services, public health, children and families, mental health and addiction services, and education. The DEMHS commissioner may also consult with parents, child care

providers, and local emergency service providers when amending the plan and program.

The bill requires the amended plan to require that all schools and licensed child day care services have written multi-hazard disaster response plans. Their plans in the event of a disaster or terrorism must address:

1. the children's evacuation and removal to a safe location,
2. notification of parents,
3. reunification of parents with their children, and
4. care for children with special needs.

Report to the General Assembly

The DEMHS commissioner's report to the General Assembly must address:

1. the health needs associated with bioterrorism and other public health emergencies that are distinct to children;
2. public education and communications for families on public safety issues related to disasters and terrorism;
3. safety and security training measures and multi-hazard response plans for child care providers, school and before- and after-school program personnel, and personnel in family homeless shelters, summer camps, and juvenile justice system facilities;
4. the coordination of school health and mental health strategies; and
5. amendments to the state civil preparedness plan and program described above.

COMMITTEE ACTION

Select Committee on Children

Joint Favorable Substitute

Yea 12 Nay 0 (03/03/2011)

Public Safety and Security Committee

Joint Favorable Substitute

Yea 23 Nay 0 (03/15/2011)